

**UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF MASSACHUSETTS**

FILED IN CLERKS OFFICE

OCT 6 '21 AM 9:25 USDC MA

COMMONWEALTH OF MASSACHUSETTS ex rel:
SARA E. COOKE
100 Wall Street #40
Worcester, MA 01604

Petitioner,

v.

GOVERNOR OF MASSACHUSETTS
CHARLES D. BAKER
24 Beacon St. Room 280
Boston, MA 02133

Defendant.

CASE NUMBER:

**VERIFIED PETITION FOR
WRIT OF MANDAMUS**

COMES NOW *Pro Se*, Petitioner, Sara E. Cooke, pursuant to M.G.L Part III, Title IV, Chapter 249 § 5, hereby files this Verified Petition for Writ of Mandamus and in support thereof, Petitioner would show unto the Court the following:

I. INTRODUCTION AND PARTIES

1. Petitioner, Sara E. Cooke, is a citizen and taxpayer of the Commonwealth of Massachusetts.
2. Respondent Governor Charles D. Baker, is the duly elected and acting governor of the Commonwealth of Massachusetts. Governor Baker has sworn an oath to uphold and defend the Constitution of the United States of America and the Constitution of the Commonwealth of Massachusetts. *See* Massachusetts Constitution Part the Second, Chapter VI, Article I.

II. JURISDICTION AND VENUE

3. This matter is a Verified Petition for a Writ of Mandamus pursuant to M.G.L Part III, Title IV, Chapter 249 § 5.
4. Subject matter jurisdiction and venue are also proper and are also conveyed to this Honorable Court pursuant to laws or treaties thereof 28 U.S.C. §§ 1391, 2241. *See* Massachusetts Rules of Civil Procedure Including Amendments Effective: September 1, 2021 – Rule 81(b).

III. STATEMENT OF FACTS

5. Governor Baker's oath requires him "faithfully and impartially discharge and perform all the duties incumbent on me as according to the best of my abilities and understanding, agreeably, to the **rules and regulations of the constitution**, and the laws of this commonwealth -- So help me, God" *Id.* [Emphasis added].
6. The oath of office under this section shall be taken in a form that is substantially similar to the following:

"I, A. B., do truly and sincerely acknowledge, profess, testify and declare, that the Commonwealth of Massachusetts is, and of right ought to be, a free, sovereign and independent state; and I do swear, that I will bear true faith and allegiance to the said commonwealth, and that I will defend the same against traitorous conspiracies and all hostile attempts whatsoever: and that I do renounce and abjure all allegiance, subjection and obedience to the king, queen, or government of Great Britain, (as the case may be) and every other foreign power whatsoever: and that no foreign prince, person, prelate, state or potentate, hath, or ought to have, any jurisdiction, superiority, pre-eminence, authority, dispensing or other power, in any matter, civil, ecclesiastical or spiritual, within this commonwealth, except the authority and power which is or may be vested by their constituents in the congress of the United States: and I do further testify and declare, that no man or body of men hath or can have any right to absolve or discharge me from the obligation of this oath, declaration, or affirmation; and that I do make this acknowledgment, profession, testimony, declaration, denial, renunciation and abjuration, heartily and truly, according to the common meaning and acceptance of the foregoing words, without any equivocation, mental evasion, or secret reservation whatsoever -- So help me, God."

7. In his official capacity, Governor Baker is enjoined to uphold and defend the United States and Massachusetts Constitution.
8. Petitioner asks the court to compel the Governor to uphold to enforce Part the First (“First Part”) Article I of the Massachusetts Constitution, “All people are born free and equal and have certain natural, essential and unalienable rights; among which may be reckoned the right of enjoying and defending their lives and liberties; that of acquiring, possessing and protecting property; in fine, that of seeking and obtaining their safety and happiness. Equality under the law shall not be denied or abridged because of sex, race, color, creed or national origin.” And First Part of the Massachusetts Constitution, Article IV, “**The people of this commonwealth have the sole and exclusive right of governing themselves**, as a free, sovereign, and independent state; and do, **and forever hereafter shall, exercise and enjoy every power, jurisdiction, and right**, which is not, or may not hereafter, be by them expressly delegated to the United States of America in Congress assembled.” [Emphasis added].
9. Several federal entities, state entities both private and public have been VIOLATING civil liberties of the people of Massachusetts for a period that is too great to determine yet extraordinary in the past 20 months as per the First Part of the Massachusetts Constitution, Article I and IV by compelling citizens of Massachusetts to participate, directly and indirectly, in a tax payer funded health care system whether in public schools or on the side of the street where there might be a bus with exclusive medical services with incentives.

10. In and around the month of March 2020, extraordinary violations of constitutional rights were observed under federal, state, and local rules by various entities both federal and state forcing the citizens of Massachusetts to participate in a government system that of which was not free, sovereign, and by means an independent state and it did not allow all citizens to participate and enjoy every power, jurisdiction, and right.
11. Citizens were required to wear alleged medical devices, provide DNA samples, have their temperature taken, vaccinate, engage in contact tracing, and among other activities that would be considered outside the scope of the ability and *exclusive right* to enjoy liberties and govern ones' self ¹.
12. Both directly and indirectly, citizens of Massachusetts were forced by both federal and state as well as both private and public entities to submit to unconstitutional laws and mandates to enjoy liberties such as entering or enjoying access to public or private institutions such as venues, access to public transportation, courthouses, schools, hospitals, and food emporiums to name a few. Penalties for not abiding by these unconstitutional mandates were arrest, fines, and or inability to purchase food, travel or access medical care.
13. Petitions to the Governor, Attorney General of Massachusetts Maura Healey, as well as petitioned public entities for a response to constitutional rights being violated were ignored and not responded to.

¹ See Collective Exhibit "Q" attached hereto.

14. As time ensued, public and private entities within the Commonwealth of Massachusetts have been issuing severe penalties to enforce such unconstitutional demands such as denying wages, employment, and at times inter and intra state travel.
15. All such actions stated above are a clear, apparent violation of Article I and IV of the Massachusetts Constitution and should cease immediately.

WHEREFORE, as a result of the foregoing, Petitioner respectfully requests that proper process be issued and served on Respondent, requiring Respondent to answer or otherwise respond in a the time period allotted by law, and that this Honorable Court would award judgement in favor of Petitioner and against Respondent as follows:

1. Governor Baker will be **compelled** to uphold the Massachusetts Constitution that the Governor swore to uphold and defend against all enemies, foreign and domestic.
2. Governor Baker will be **compelled** to charge the Attorney General with the duties vested in him to enforce and uphold the Constitution of the Commonwealth of Massachusetts by immediately ceasing any federal or state, public or private entity within the jurisdiction and or operating in the Commonwealth of Massachusetts compelling citizens of Massachusetts directly or indirectly by mandamus from this court.
3. For an award of attorney's fees and costs incurred as a result of this action.
4. That this Honorable Court "order a speedy hearing" of this declaratory judgement action as permitted by Fed. R. Civ. P. 57.
5. Such other relief to which Petitioner may show to be entitled.

Respectfully submitted this 6th day of October, 2021.

By: 

Sara E. Cooke

100 Wall Street #40

Worcester, MA 01604

978-616-7272

sayhername@american17.com

UNITED STATES DISTRICT COURT

for the

District of Massachusetts

Sara E. Cooke

Case No. _____

(to be filled in by the Clerk's Office)

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Jury Trial: (check one) ☐ Yes ☐ No

-v-

Governor Charles D. Baker

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Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Sara E. Cooke
Street Address	100 Wall Street #40
City and County	Worcester
State and Zip Code	MA 01604
Telephone Number	978-616-7272
E-mail Address	sayhername@american17.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name	Charles D. Baker
Job or Title <i>(if known)</i>	Governor
Street Address	24 Beacon St Rm 280
City and County	Boston, Suffolk
State and Zip Code	MA, 02133
Telephone Number	(617) 725-4005
E-mail Address <i>(if known)</i>	

Defendant No. 2

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

Defendant No. 3

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

Defendant No. 4

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*



Federal question



Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

42 U.S.C. 1983

B. If the Basis for Jurisdiction Is Diversity of Citizenship**1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, *(name)* _____, is a citizen of the
State of *(name)* _____.

b. If the plaintiff is a corporation

The plaintiff, *(name)* _____, is incorporated
under the laws of the State of *(name)* _____,
and has its principal place of business in the State of *(name)* _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)**a. If the defendant is an individual**

The defendant, *(name)* _____, is a citizen of
the State of *(name)* _____. Or is a citizen of
(foreign nation) _____.

b. If the defendant is a corporation

The defendant, (name) _____, is incorporated under the laws of the State of (name) _____, and has its principal place of business in the State of (name) _____.

Or is incorporated under the laws of (foreign nation) _____, and has its principal place of business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy-the amount the plaintiff claims the defendant owes or the amount at stake-is more than \$75,000, not counting interest and costs of court, because *(explain)*:

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

Governor is violating oath to protect MA and US constitution. Both directly and indirectly, citizens of Massachusetts were forced by both federal and state as well as both private and public entities to submit to unconstitutional laws and mandates to enjoy liberties such as entering or enjoying access to public or private institutions such as venues, access to public transportation, courthouses, schools, hospitals, and food emporiums to name a few. Penalties for not abiding by these unconstitutional mandates were arrest, fines, and or inability to purchase food, travel or access medical care.

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Plaintiff requests the Governor via writ of mandamus to be compelled to uphold the Massachusetts Constitution and Governor to charge A.G Healey.

- An award of attorney's fees and costs incurred as a result of this action
- Honorable Court "order a speedy hearing" of this declaratory judgement action as permitted by Fed. R. Civ. P. 57.

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 10/06/2021

Signature of Plaintiff

Printed Name of Plaintiff


Sara E. Cooke

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address